Misbranding, Section 502 (a), certain statements in the above-mentioned leaflets were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for stomach disorders, whereas the article was not an adequate and effective treatment for stomach disorders.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: May 13, 1954. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

4391. Adulteration and misbranding of phenobarbital tablets, Pyraphen tablets, and Luasmin capsules. U. S. v. Brewer & Co., Inc., and Howard D. Brewer. Pleas of guilty. Fine of $1,200 against corporation and $300 against individual. (F. D. C. No. 35565. Sample Nos. 33768-L, 44871-L, 45078-L.)

INFORMATION FILED: March 2, 1954, District of Massachusetts, against Brewer & Co., Inc., Worcester, Mass., and Howard D. Brewer, president and treasurer of the corporation.

ALLEGED SHIPMENT: On or about January 29, February 23, and March 6, 1953, from the State of Massachusetts into the States of Connecticut, Illinois, and New Hampshire.

LABEL, IN PART: (Bottle) "10,000 Phenobarbital Tablets U. S. P. (1½ gr.) 0.1 Gm. Brewer & Company, Inc. Worcester, Mass.," "100 Tablets Pyraphen-Therland—Each tablet contains: Pyrilamine Maleate (¾ gr.) 50 mg. Aminophylline (3 gr.) 0.2 Gm. Phenobarbital (¼ gr.) 15 mg. Therland Drug Co. 20 Farmington Avenue Hartford, Conn. Distributors," and "100 Capsules Luasmin Each capsule contains: Theophylline Sodium Acetate (3 gr.) 0.2 Gm. Ephedrine Sulfate (½ gr.) 30 mg. Phenobarbital Sodium (½ gr.) 30 mg. Brewer & Company, Inc. Worcester, Mass., U. S. A."

NATURE OF CHARGE: *Phenobarbital tablets.* Adulteration, Section 501 (d) (2), a substance, namely, phenobarbital sodium tablets, had been substituted for *phenobarbital tablets.* Misbranding, Section 502 (a), the label statement "Phenobarbital Tablets" was false and misleading since the article did not consist of *phenobarbital tablets* but consisted of another substance, namely, phenobarbital sodium tablets.

Pyraphen tablets. Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess since each tablet purported and was represented to contain (3 grains) 0.2 gram of aminophylline, whereas each tablet contained less than that amount of aminophylline. Misbranding, Section 502 (a), the label statement "Each tablet contains: * * * Aminophylline (3 gr.) 0.2 Gm." was false and misleading.

Luasmin capsules. Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess since each capsule of the article purported and was represented to contain (½ grain) 30 milligrams of phenobarbital sodium, whereas each capsule contained more than that amount of phenobarbital sodium. Misbranding, Section 502 (a), the label statement "Each capsule contains: * * * Phenobarbital Sodium (½ gr.) 30 mg." was false and misleading.

DISPOSITION: May 6, 1954. The defendants having entered pleas of guilty, the court fined the corporation $1,200 and the individual $300.

4392. Adulteration and misbranding of Eprinal. U. S. v. 270 Bottles, etc. (F. D. C. No. 36326. Sample Nos. 30949–L, 30950–L.)

LIBEL FILED: February 19, 1954, Eastern District of Missouri.

ALLEGED SHIPMENT: Sometime prior to January 1, 1951, from Chicago, Ill.

PRODUCT: 270 15-cc. bottles and 150 30-cc. bottles of *Eprinal* at St. Louis, Mo. Analysis showed that the product, which was represented as 'Epinephrine Inhalation," contained 0.5 gram of epinephrine in each 100 cc., whereas the United States Pharmacopeia provides that "Epinephrine Inhalation" contains not less than 0.9 gram of epinephrine in each 100 cc.

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Epinephrine Inhalation," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from the official standard set forth in such compendium.

Misbranding, Section 502 (a), the label designation "Epinephrine Inhalation U. S. P." and the label statement "Each 100 cc. contains Epinephrine 1 Gram" were false and misleading as applied to an article which contained 0.5 gram of epinephrine per 100 cc.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: May 25, 1954. Default decree of condemnation and destruction.

4393. Adulteration and misbranding of Special Formula tablets. U. S. v. 44,725 Tablets * * *. (F. D. C. No. 36492. Sample No. 51024–L.)

LIBEL FILED: April 21, 1954, Eastern District of New York.

ALLEGED SHIPMENT: On or about August 25, 1953, from Newark, N. J.

PRODUCT: 44,725 *Special Formula tablets* in 1 drum at Long Island City, N. Y. Analysis showed that the product contained 50 percent of the declared amount of vitamin D.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 134 U. S. P. units of vitamin D per tablet.

Misbranding, Section 502 (a), the label statement "Each tablet contains: * * * 134 U. S. P. Units Vitamin D" was false and misleading as applied to a product which contained less than 134 U. S. P. units of vitamin D per tablet.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: May 20, 1954. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

4394. Misbranding of procaine hydrochloride ampuls. U. S. v. 19 Crates * * *. (F. D. C. No. 36457. Sample No. 48010–L.)

LIBEL FILED: March 23, 1954, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 5, 1947, from Savannah, Ga.

*See also Nos. 4381, 4388, 4390–4393.